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Notice of Allowability	Application No.	Applicant(s)
	10/622,685	FRENZ ET AL.
	Examiner	Art Unit
	Ahmed M. Farah	3735
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.		
1. This communication is responsive to the response filed on March 20, 2006.		
2. X The allowed claim(s) is/are 1,2,4-12,15,16,18-33,36,37 and 39-44.		
<ul> <li>3.</li></ul>		
2. Certified copies of the priority documents have been received in Application No		
3. Copies of the certified copies of the priority documents have been received in this national stage application from the		
International Bureau (PCT Rule 17.2(a)).  * Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.		
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached		
1)  hereto or 2)  to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).		
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
Attachment(s) 1. ☑ Notice of References Cited (PTO-892)	5. ☐ Notice of Informal F	Patent Application (PTO-152)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)	6. 🗌 Interview Summary	(PTO-413),
3. Information Disclosure Statements (PTO-1449 or PTO/SB/0	Paper No./Mail Da 08), 7. 🔲 Examiner's Amendi	te ment/Comment
Paper No./Mail Date  4. Examiner's Comment Regarding Requirement for Deposit		ent of Reasons for Allowance
of Biological Material	9.	
	•	AHMED FARAM PRIMARY EXAMINER

Application/Control Number: 10/622,685

Art Unit: 3735

## **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance: the prior art of record fails to disclose, teach, or suggest a catheter device for applying a treatment light on a vessel wall in a human body, the catheter device comprising a light-guide and a light reflecting means whose reflective surface is inclined to the longitudinal axis of the light-guide, such that the light reflected from the surface of the reflector is uniformly distributed over an entire circumference of the vessel wall without rotating the reflector or the light-guide; and positioning balloon that is transparent to the treatment light at least in the vicinity of the reflected light, said balloon surrounding both the light-guide and the light reflecting means, and axially extending beyond the distal end of the light-guide and beyond the light reflecting means as presently claimed.

Figure 8 of US Patent Application Publication No. 20030060813A1 discloses a catheter device comprising: a light guide and a light reflecting means inclined to the longitudinal axis of the light guide, such that the light reflected from the surface of the reflector is substantially perpendicular to the longitudinal direction of the light-guide; and a positioning balloon, which extends beyond the distal end of the light guide and beyond the light reflecting means, said balloon further surrounding both the light-guide and the light reflecting means as presently claimed. However, the US Publication ('831A1) does not have a priory date, which predates the claimed foreign priority date of the instant application. Therefore, the reference is not a prior art to the instant claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 3735

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ahmed M. Farah whose telephone number is (571) 272-4765. The examiner can normally be reached on Mon-Thur 9:30 AM-7:30 PM, and 9:30 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marmor II Charles can be reached on (571) 272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ahmed M Farah Primary Examiner Art Unit 3735

May 23, 2006.